

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2002-304-T - ORDER NO. 2003-50

FEBRUARY 3, 2003

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| IN RE: Application of Perry L. Farrow, III DBA |) | ORDER GRANTING |
| Palmetto Moving & Storage, 1213 |) | CLASS E CERTIFICATE |
| Northampton Road, Anderson, SC 29621 |) | |
| (District 3) for a Class E Certificate of Public |) | |
| Convenience and Necessity. |) | |

This matter comes before the Public Service Commission of South Carolina (the Commission) on the Application of Perry L. Farrow, III DBA Palmetto Moving & Storage, 1213 Northampton Road, Anderson, SC 29621 (Farrow or the Company) for a Class E Certificate of Public Convenience and Necessity to transport commodities as follows:

Household Goods, As Defined in R. 103-210(1):

Between points and places in Anderson, Pickens & Oconee Counties, SC to points and places in South Carolina.

The Commission's Executive Director instructed Farrow to publish a Notice of Filing in a newspaper of general circulation in the service area desired. The Notice of Filing instructed the public as to how to file pleadings to participate in the proceedings on the Application. No Protests or Petitions to Intervene were filed.

A hearing was held on the Application of the Company on January 9, 2003 in the offices of the Commission. The Honorable Mignon Clyburn presided. Perry Farrow appeared *pro se*. Farrow presented his own testimony, plus the testimony of Greg

O'Leary and Jerry Rhodes. The Commission Staff was represented by F. David Butler, General Counsel. The Staff presented no witnesses.

Mr. Farrow testified on his own behalf. He noted that he has worked for a furniture company in the past, loading and unloading furniture, and that he loads and unloads trucks in his present position at Afco. Further, Farrow noted that he had worked with his brother-in-law in commercial moves for approximately 2 years. The Company has no civil judgments on file against it. Although Farrow has not purchased a truck, he is leasing a truck to use in his moving business, if he is approved by this Commission. Farrow is in possession of various equipment used in the movement of household goods, such as blanket straps, tape, hand trucks, and other such equipment. Mr. Farrow testified that he wanted authority to transport household goods between points and places in Anderson, Pickens & Oconee Counties to points and places in South Carolina. The witness noted that the upstate area of South Carolina is a growing area, and that alternative choices are needed for potential customers of household goods moving services. Farrow noted that only one mover advertises in the Yellow Pages in the Anderson area, at present. Further, Farrow noted that BMW has started operations since that one mover has been in business. When asked why he feels his service is needed beyond the three counties, he responded that he does not want to turn shippers away if they are wanting to leave the three counties to go anywhere in the state. Mr. Farrow filed a revised financial statement, which appears to show that his Company is financially viable.

The Company presented two shipper witnesses, Greg O'Leary and Jerry Rhodes. O'Leary, a real estate agent, testified that more household goods movers are needed in the Upstate of South Carolina, since Sanders Moving was the only mover listed in the Anderson area. In his opinion, the Upstate area was growing, and more movers were needed to move household goods not only in the area, but also to other areas of the State. Jerry Rhodes, operator of Carolina Mini Storage and Carolina Burglar & Fire Alarm Company, echoed the sentiments of witness O'Leary. Rhodes also noted that he wanted to move 2 doors down from his present location, and that the other mover in the area could not do it for 4 days. Rhodes believes that this bolsters the need for another mover.

S.C. Code Ann. Section 58-23-590(C) (Supp. 2002) states that the Commission shall issue a common carrier certificate of public convenience and necessity if the applicant proves to the Commission that: (1) it is fit, willing, and able to properly perform the proposed service and comply with the provisions of this chapter and the Commission's regulations and (2) the proposed service, to the extent to be authorized by the certificate or permit, is required by the present public convenience and necessity.

Upon consideration of the matter, we find that the Company has demonstrated that it is fit, willing, and able to perform the services sought by the Application. The testimony of Mr. Farrow reveals that he is fit, willing, and able under the standards contained in 26 S.C. Regs. 103-133. Further, we find that the testimony of Mr. O'Leary and Mr. Rhodes indicate that the proposed service is required by the present public convenience and necessity.

Based upon the record before the Commission and the statutory requirements along with the guidelines contained in the Commission's regulations, we find sufficient evidence to grant the Application and therefore grant authority to Perry L. Farrow, III, DBA Palmetto Moving & Storage for a Class E Certificate of Public Convenience and Necessity for the movement of household goods as follows:

Household Goods, As Defined in R. 103-210(1):

Between points and places in Anderson, Pickens & Oconee Counties, SC to points and places in South Carolina.

This grant of authority is contingent upon compliance with all Commission regulations as outlined below.

IT IS THEREFORE ORDERED THAT:

1. The application of Perry L. Farrow, III, DBA Palmetto Moving & Storage for a Class E Certificate of Public Convenience and Necessity be, and hereby is, approved for authority to transport household goods between points and places in Anderson, Pickens, & Oconee Counties, SC to points and places in South Carolina.

2. Perry L. Farrow, III DBA Palmetto Moving & Storage shall file the proper license fees and other information required by S.C. Code Ann. Section 58-23-10 et seq. (1976), as amended, and by R.103-100 through R.103-241 of the Commission's Rules and Regulations for Motor Carriers, S.C. Code Ann. Vol. 26 (1976), as amended, and R.38-400 through 38-503 of the Department of Public Safety's Rules and Regulations for Motor Carriers, S.C. Code Ann. Vol. 23A (1976), as amended, within sixty (60) days of


the date of this Order, or within such additional time as may be authorized by the Commission.

3. Upon compliance with S.C. Code Ann. Section 58-23-10, et seq. (1976), as amended, and the applicable Regulations for Motor Carriers, S.C. Code Ann., Vol. 26 (1976), as amended, a Certificate shall be issued to Perry L. Farrow, III DBA Palmetto Moving & Storage authorizing the motor carrier services granted herein.

4. Prior to compliance with the above-referenced requirements and receipt of a Certificate, the motor carrier services authorized herein shall not be provided.

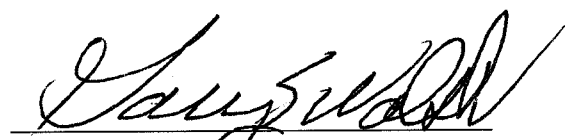
5. This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:



Mignon L. Clyburn
Chairman

ATTEST:



Gary E. Walsh
Executive Director

(SEAL)